

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 13, 2019

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JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 13, 2019

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was offered by Pastor Mark Doss, the Regional Associate Superintendent of the Evangelical Free Church in Des Moines, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Tuesday, February 12, 2019, was approved.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:09 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 171](#).

[Senate File 171](#)

On motion of Senator Kraayenbrink, [Senate File 171](#), a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Kraayenbrink offered amendment [S-3002](#), filed by him on February 11, 2019, to page 3 and amending the title page of the bill, and moved its adoption.

Amendment [S-3002](#) was adopted by a voice vote.

Senator Kraayenbrink asked and received unanimous consent that [House File 307](#) be **substituted** for [Senate File 171](#).

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Jochum, until she arrives, on request of Senator Petersen; and Senator Nunn, until he arrives, on request of Senator Whitver.

[House File 307](#)

On motion of Senator Kraayenbrink, [House File 307](#), a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions, was taken up for consideration.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 307](#)), the vote was:
Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Danielson
Dawson	Dotzler	Edler	Feenstra
Garrett	Greene	Guth	Hogg
Johnson	Kapucian	Kinney	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Miller-Meeks	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
ShIPLEY	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Jochum Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kraayenbrink asked and received unanimous consent that [Senate File 171](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 172](#).

[Senate File 172](#)

On motion of Senator Sinclair, [Senate File 172](#), a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that [House File 306](#) be **substituted** for [Senate File 172](#).

[House File 306](#)

On motion of Senator Sinclair, [House File 306](#), a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions, was taken up for consideration.

Senator Celsi offered amendment [S-3004](#), filed by Senator Celsi, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3004](#) be adopted?” ([H.F. 306](#)), the vote was:

Yeas, 17:

Bisignano	Bolkcom	Boulton	Celsi
Danielson	Dotzler	Hogg	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, R.	Taylor, T.
Wahls			

Nays, 31:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Edler	Feenstra	Garrett	Greene
Guth	Johnson	Kapucian	Koelker
Kraayenbrink	Lofgren	Miller-Meeks	Rozenboom
Schneider	Schultz	Segebart	Shipley
Sinclair	Smith, R.	Sweeney	Whiting
Whitver	Zaun	Zumbach	

Absent, 2:

Jochum	Nunn
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Amendment [S-3004](#) lost.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 306](#)), the vote was:

Yeas, 35:

Behn	Bisignano	Breitbach	Brown
Carlin	Chapman	Costello	Cournoyer
Danielson	Dawson	Edler	Feenstra
Garrett	Greene	Guth	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Mathis	Miller-Meeks	Rozenboom

Schneider	Schultz	Segebart	Shipley
Sinclair	Smith, R.	Sweeney	Whiting
Whitver	Zaun	Zumbach	

Nays, 13:

Bolkcom	Boulton	Celsi	Dotzler
Hogg	Lykam	Petersen	Quirnbach
Ragan	Smith, J.	Taylor, R.	Taylor, T.
Wahls			

Absent, 2:

Jochum	Nunn
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that [Senate File 172](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 306** and **307** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 5](#) and Senate Resolutions 2 and 3.

[Senate Concurrent Resolution 5](#)

On motion of Senator Whitver, [Senate Concurrent Resolution 5](#), A concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-eighth General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of [Senate Concurrent Resolution 5](#), which motion prevailed by a voice vote.

[Senate Resolution 2](#)

On motion of Senator Costello, [Senate Resolution 2](#), a resolution for relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly, was taken up for consideration.

Senator Whitver offered amendment [S-3003](#), filed by Senators Whitver and Petersen on February 12, 2019, to pages 5–8, 10, and 24–25 of the resolution, and moved its adoption.

Amendment [S-3003](#) was adopted by a voice vote.

Senator Costello moved the adoption of [Senate Resolution 2](#), which motion prevailed by a voice vote.

[Senate Resolution 3](#)

On motion of Senator Whitver, [Senate Resolution 3](#), a resolution for relating to permanent rules of the senate for the eighty-eighth general assembly, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Petersen offered amendment [S-3005](#), filed by Senator Petersen, et al., from the floor to pages 31–33 of the resolution, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3005](#) be adopted?” ([S.R. 3](#)), the vote was:

Yeas, 17:

Bisignano	Bolkcom	Boulton	Celsi
Danielson	Dotzler	Hogg	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, R.	Taylor, T.
Wahls			

Nays, 31:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Edler	Feenstra	Garrett	Greene
Guth	Johnson	Kapucian	Koelker
Kraayenbrink	Lofgren	Miller-Meeks	Rozenboom
Schneider	Schultz	Segebart	Shipley
Sinclair	Smith, R.	Sweeney	Whiting
Whitver	Zaun	Zumbach	

Absent, 2:

Jochum	Nunn
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Amendment [S-3005](#) lost.

Senator Whitver offered amendment [S-3001](#), filed by the committee on Rules and Administration on February 7, 2019, to page 47 of the resolution, and moved its adoption.

Amendment [S-3001](#) was adopted by a voice vote.

Senator Whitver moved the adoption of [Senate Resolution 3](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate Concurrent Resolution 5](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:24 a.m. until 9:00 a.m., Thursday, February 14, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF MANAGEMENT

Biennial State Mandates Report Legislative Sessions 2015 and 2016, pursuant to Iowa Code section 25B.4. Report received on February 13, 2019.

Biennial State Mandates Report Legislative Sessions 2017 and 2018, pursuant to Iowa Code section 25B.4. Report received on February 13, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Cameron Haugen, Asbury—For reaching the rank of Eagle Scout, Troop #91. Senator Koelker.

Ethan Hoefler, Dyersville—For reaching the rank of Eagle Scout, Troop #60. Senator Koelker.

Karen Mitchell, Latimer—Upon her retirement. Senator Ragan.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, February 13, 2019, 1:05 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Petersen (excused).

Committee Business: [SSB 1057](#) – sexual misconduct with offender, with amendment, Senator Schultz; [SSB 1009](#) – Targeted attack, with amendment, Senator Chapman; [SSB 1037](#) – Massage therapy, Senator Zaun; [SSB 1066](#) – Debt management services, with amendment, Senator Nunn; [SSB 1072](#) – Surety bond, Senator Shipley.

Adjourned: 1:20 p.m.

TRANSPORTATION

Convened: Wednesday, February 13, 2019, 2:00 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: None.

Committee Business: [SF 76](#), [SF 88](#), and [SSB 1050](#).

Adjourned: 2:35 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 16](#), by Carlin, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to restricting certain individual income tax changes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate Resolution 4](#), by Mathis, a resolution for requesting the convening of a conference of stakeholders to discuss the state's strategy for addressing the increasing aging population in Iowa and its effect on the state and Iowa's communities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate Resolution 5](#), by Carlin, a resolution for congratulating the Morningside College Mustangs football team on winning the National Association of Intercollegiate Athletics National Championship.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 258](#), by Kinney, a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 259](#), by Feenstra, a bill for an act relating to the definition of person from the moment of conception until natural death under the criminal code.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 260](#), by Danielson, a bill for an act providing for a chief operations officer within the office of the governor.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 261](#), by Zaun, a bill for an act relating to the practice of alternative and complementary medicine, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 262](#), by Zumbach, a bill for an act relating to the recovery of costs and certain payment disclosures associated with the closure of electric power generating facilities.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 263](#), by Zaun, a bill for an act requiring certain disclosures related to veterans' benefit services, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

[Senate File 264](#), by Sinclair, a bill for an act relating to petitions for reclassification of certain secondary roads.

Read first time under Rule 28 and referred to committee on **Transportation**.

STUDY BILLS RECEIVED

[SSB 1153](#) **State Government**

Eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

[SSB 1154](#) **Commerce**

Relating to vegetation management by certain electric suppliers.

[SSB 1155](#) **Local Government**

Relating to the composition of county compensation boards.

[SSB 1156](#) **Commerce**

Relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

[SSB 1157](#) **Ways and Means**

Relating to sales tax exemptions on the sale of instructional materials at postsecondary institutions and on sales where profits are used by or donated to such institutions.

[SSB 1158](#) **Ways and Means**

Relating to the selling or furnishing of water by mobile home parks including creating an exemption to the water service excise tax, and by modifying qualifications for public water supply systems.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 163](#)

(Reassigned)

HUMAN RESOURCES: Edler, Chair; Johnson and Mathis

[Senate File 201](#)

STATE GOVERNMENT: R. Smith, Chair; Danielson and Miller-Meeks

[Senate File 225](#)

APPROPRIATIONS: Koelker, Chair; Greene and Wahls

[Senate File 236](#)

TRANSPORTATION: Cournoyer, Chair; Brown and Danielson

[Senate File 238](#)

HUMAN RESOURCES: Greene, Chair; Bolkcom and Carlin

[Senate File 239](#)

HUMAN RESOURCES: Greene, Chair; Carlin and Quirnbach

[Senate File 240](#)

LOCAL GOVERNMENT: Guth, Chair; Edler and Hogg

[Senate File 241](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and Dotzler

[Senate File 242](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and Dotzler

[Senate File 244](#)

HUMAN RESOURCES: Segebart, Chair; Garrett and Ragan

[Senate File 247](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; T. Taylor and Whiting

[Senate File 248](#)

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

[Senate File 249](#)

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

[Senate File 250](#)

TRANSPORTATION: Shipley, Chair; Koelker and T. Taylor

[Senate File 251](#)

HUMAN RESOURCES: Miller-Meeks, Chair; Johnson and Quirnbach

[Senate File 252](#)

HUMAN RESOURCES: Miller-Meeks, Chair; Carlin and Quirnbach

[Senate File 257](#)

WAYS AND MEANS: Feenstra, Chair; Brown and Danielson

[SSB 1153](#)

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Whiting

[SSB 1154](#)

COMMERCE: Sinclair, Chair; Bisignano and Johnson

[SSB 1155](#)

LOCAL GOVERNMENT: Edler, Chair; Garrett and J. Smith

[SSB 1156](#)

COMMERCE: Johnson, Chair; Koelker and Mathis

[SSB 1157](#)

WAYS AND MEANS: Feenstra, Chair; Jochum and Schultz

[SSB 1158](#)

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 13, 2019, when the votes were taken on House Files 306 and 307. Had I been present, I would have voted YEA on both.

ZACH NUNN

AMENDMENTS FILED

<u>S-3004</u>	<u>H.F.</u>	<u>306</u>	Claire Celsi Tony Bisignano Joe Bolkcom Nate Boulton Jeff Danielson William A. Dotzler, Jr. Robert M. Hogg Pam Jochum Kevin Kinney Jim Lykam Liz Mathis Janet Petersen Herman C. Quirnbach Amanda Ragan Jackie Smith Rich Taylor Todd Taylor Zach Wahls
<u>S-3005</u>	<u>S.R.</u>	<u>3</u>	Janet Petersen Tony Bisignano Joe Bolkcom Nate Boulton Claire Celsi Jeff Danielson William A. Dotzler, Jr. Robert M. Hogg Pam Jochum Kevin Kinney Jim Lykam Liz Mathis Herman C. Quirnbach Amanda Ragan Jackie Smith Rich Taylor Todd Taylor Zach Wahls